

FISH & WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: January 9, 2014

Agenda Item: Waters Approved for Commercial Bait Fish Seining – Annual Rule

Division: Fisheries

Action Needed: Final

Time Needed on Agenda for this Presentation: 10 minutes

Background

A Montana bait fish seining license is required for: 1) persons 15 years of age and older to seine for and transport bait fish for commercial purposes; and 2) for any person who seines for and has in his or her possession more than 24 dozen nongame bait fish. The Commission may designate waters that are allowed for these purposes. FWP describes these waters annually in the Commercial Bait Seining Application form. At its November meeting the Commission proposed a list of waters where commercial bait fish seining would be allowed. The department is now recommending that the Commission make a final decision on the list.

Public Involvement Process & Results

Following approval of the proposed list at the Nov. 14 Commission meeting, public comment was taken from Nov. 19-Dec. 18. One comment was received, asking that bait seining be allowed in the ditches and streams in the Yellowstone Valley upstream of the Clark's Fork.

Alternatives and Analysis

It's not possible to provide the additional seining opportunities in the Yellowstone Valley above the Clark's Fork at this time due to a conflict with the current prohibition on the use and possession of live bait in the same areas. If FWP, upon evaluation of this matter, determines that it is appropriate to revise the bait use rules and allow the additional seining opportunities, it may make such proposals during the fishing regulation-setting process later this year.

Agency Recommendation & Rationale

FWP recommends approval of the list of commercial bait fish seining waters. This list is unchanged from what was proposed in November. Twenty waters (19 lakes or ponds and one group of tributaries to a lake) are proposed for deletion from the approved seining water list, and one water is proposed for addition to the list. The primary reason most waters are proposed for deletion is that they do not produce suitable numbers of bait fish to make commercial seining a sustainable activity. Other reasons include: 1) a current lack of interest in commercial collections; 2) the concern that collections could deplete bait fish species necessary to maintain gamefish populations; 3) the potential for accidental collection and movement of predator fish (e.g. northern pike) that could negatively affect fish populations in other waters; 4) collection practices would interfere with salmonid spawning; or 5) ponds are private and no longer managed by FWP. Because most of the proposed deletions have poor bait fish populations, there will be little impact on the local supply of bait fish, which will be provided by the waters which remain on the list. The addition of Wibaux Pond will actually increase supply for commercial purposes in the southeastern part of the state.

Proposed Motion

I move to adopt FWP's proposed final Commercial Bait Fish Seining Waters list for implementation in 2014.